IN THE HIGH COURT OF JUDICATURE AT BOMBAY

Criminal Appellate Jurisdiction

Criminal Application No.3636 of 2007

Surendra Shyamcharan Dube. .. .. Applicant

v/s.

The State of Maharashtra. .. .. Respondent

Mr.S.V. Marwadi i/by Miss Vishranti Navale for Applicant
Mr.P.A.Pol, APP for State.

CORAM : J.H. BHATIA, J.

Dated : 6th November 2007

P.C. :

1. Heard the learned Counsel for the parties.

2. The Applicant was arrested in Crime No.498 of 2007 by MIDC Police Station for the offence under Sections 420, 465, 467, 468, 471 read with Section 34 of Indian Penal Code. It appears that the present Applicant was serving as a Cashier at the Petrol Pump of the Complainant. There was a practice that some people used to purchase petrol on credit and pass vouchers in respect of the same. The petrol vendor would hand over the voucher to the present Applicant for the

purpose of maintaining the record. Later on, it was revealed that some vouchers worth Rs.79,000/- were bogus and those vouchers were prepared on bogus printed receipts by another Accused–Prem Kishore Srikeshawaram Vishwakarma and thus, the employer was cheated.

3. The present Applicant is in custody since 8th October 2007. Prem Kishore Srikeshawaram Vishwakarma is not arrested. The present Applicant and one more Accused are in custody. To that extent, investigation is completed. No recovery is made nor any recovery is to be made from the present Applicant. According to the Applicant, he himself was not aware that some of the vouchers, which were submitted to him by the vendor, were bogus.

4. Taking into consideration the circumstances of the case, I find that the Applicant may be granted bail. The Applicant be released on executing PR bond of Rs.10,000/- with surety in like amount with condition that he shall not misuse the bail.

5. The Applicant is granted liberty to deposit surety amount of Rs.10,000/- for a period of two weeks in lieu of surety.

(J.H. BHATIA, J.)